

Welcome to the Accessibility Online Webinar Series



A collaborative program between
the
ADA National Network and the
US Access Board



The Session is Scheduled to begin at 2:30pm Eastern Time
We will be testing sound quality periodically

Audio and Visual are provided through the on-line webinar system. This session is closed captioned. Individuals may also listen via telephone by dialing 712-432-3100 code 930098 # (This is **not** a Toll Free number)

The content and materials of this training are property of the US Access Board and the DBTAC - Great Lakes ADA Center and cannot be used and/or distributed without permission. This program is funded under award #H133A060097 from the U.S. Department of Education through the auspices of the National Institute on Disability and Rehabilitation Research (NIDRR) and an inter-agency agreement with the U.S. Access Board. For permission to use training content or obtain copies of materials used as part of this program please contact us by email at adata@adagreatlakes.org or toll free (877)232-1990 (V/TTY)

www.AccessibilityOnline.org

1



Webinar Features

- **Closed captioning** – click **CC** icon (top of screen) or control-F8 and adjust your screen
- **Questions** - type and submit questions in the Chat Area Text box or press control-M and enter text in the Chat Area
- Please do not use emoticons or hand-raising features during this session

2

Accessible Swimming Pools and Spas

3

Presenters U.S. Access Board



Bill Botten



Peggy Greenwell

4



Session Agenda

- **Changes to the Americans with Disabilities Act (ADA)**
- **Impact on newly constructed, altered, and existing swimming pools and spas**
- **Other related provisions**
- **Review of provisions for swimming pools and spas and aquatic recreation facilities**
- **Questions/answers**

5

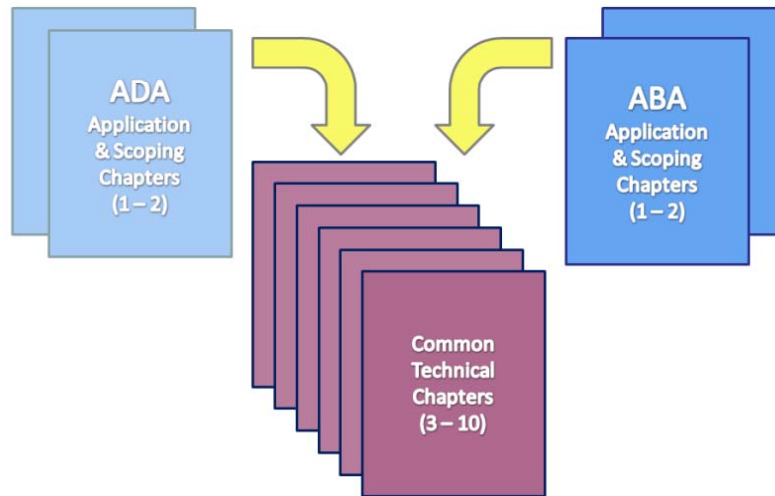
Background and History

- **Early 90's - Recreation Access Federal Advisory Committee**
- **Board issues final rule – 2002** (later incorporated into revised into the ADA-ABA Accessibility Guidelines 2004)
- **Served on committees developing ANSI-NSPI-1 & WWA Aquatic Recreation Facility Standard**
- **Numerous educational opportunities and meetings to share information**

UNITED STATES ACCESS BOARD

6

Updated *ADA* and *ABA*



7

New construction

8

Architectural Barriers Act (ABA)

- Covers Federal facilities (e.g. pools at military facilities)
- Architectural Barriers Act Accessibility Standard (ABAAS)
- Newly constructed and altered pools –
 - GSA – May 2006
 - DOD – Oct 2008

UNITED STATES ACCESS BOARD

9



DOJ Adopts Revised ADAAG

- Amusement rides
- Boating facilities
- Fishing piers and platforms
- Sports facilities
- Play areas
- Golf courses
- Miniature golf courses
- **Swimming pools, wading pools, and spas**



"For the very first time, these rules will cover recreational facilities like amusement parks and marinas and gyms and golf facilities and swimming pools, and municipal facilities like courtrooms and prisons," Obama stated.

10

Current ADA Standards



Option:

**DOJ's 2010 standards
(mandatory March 15, 2012)**

OR

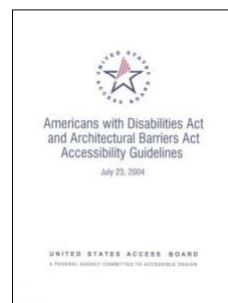
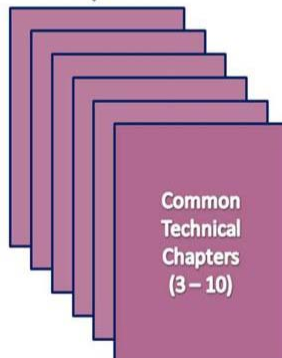
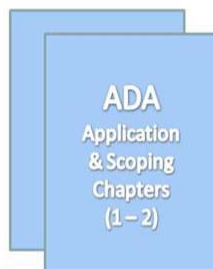
**DOJ's 1991 standards
(until March 15, 2012)**



11



DOJ's ADA Standards (2010)



**Excluding ABA
Chapters 1 & 2
(pp. 72 – 140)**

12

Locating provisions

Table of Contents

ADA Application and Scoping

ADA Chapter 1: Application and Administration

ADA Chapter 2: Scoping Requirements

ABA Application and Scoping

ABA Chapter 1: Application and Administration

ABA Chapter 2: Scoping Requirements

Technical Chapters

Chapter 3: Building Blocks

Chapter 4: Accessible Routes

Chapter 5: General Site and Building Elements

Chapter 6: Plumbing Elements and Facilities

Chapter 7: Communication Elements and Features

Chapter 8: Special Rooms, Spaces and Elements

Chapter 9: Built-In Elements

Chapter 10: Recreation Facilities

13

Existing facilities

***A facility in existence
on any given date...***

14

What Standards Apply to ADA Existing Facilities?

- Title II — Program accessibility
- Title III — Readily achievable barrier removal

*For more information, contact DOJ
@ 800 514-0301*

15

Existing Facilities

STATE AND LOCAL GOVERNMENTS TITLE II

- “A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.”
- Program accessibility
- Limited where actions would result in a “fundamental alteration in the nature of the program”

UNITED STATES ACCESS BOARD

16

Existing Facilities

PLACES OF PUBLIC ACCOMMODATION: PRIVATE ENTITIES – TITLE III

- Remove physical and communication barriers to existing facilities by persons with disabilities
- “Readily achievable”
- Easy to accomplish without much difficulty or expense

UNITED STATES ACCESS BOARD

17

Safe Harbor – Existing Facilities

- Elements that comply with 1991 Standards do not need to be modified to meet the 2010 Standards unless those elements are altered on or after March 15, 2012.

Safe Harbor does not apply to elements in existing facilities that were not subject to specific requirements in the 1991 Standards

For more information, contact DOJ @ 800 514-0301

18

Elements in 2010 Standards Not Subject to Safe Harbor

- | | |
|---|---|
| (A) Residential facilities and dwelling units | (I) Saunas and steam rooms |
| (B) Amusement rides | (J) Swimming pools, wading pools, and spas |
| (C) Recreational boating facilities | (K) Shooting facilities with firing positions, |
| (D) Exercise machines and equipment | (L) Miscellaneous. |
| (E) Fishing piers and platforms | (1) Team or player seating |
| (F) Golf facilities | (2) Accessible route to bowling lanes |
| (G) Miniature golf facilities | (3) Accessible route in court sports facilities |
| (H) Play areas | |

For more information, contact DOJ @ 800 514-0301 19

Non-complying new construction and alterations

- Constructed or altered before March 15, 2012 and **do not comply with the 1991 Standards** = meet the 1991 Standards or the 2010 Standards before March 15, 2012.
- Constructed or altered on or after March 15, 2012 and do not comply with the 1991 Standards = meet the 2010 Standards on or after March 15, 2012.

20

Tax Incentives for Improving Accessibility



- Section 44 of IRS Code
- Tax credit - maximum credit \$5,000
- Tax deduction – maximum \$15,000

UNITED STATES ACCESS BOARD

21

Other facility provisions

ACCESSIBLE ROUTES, PARKING,
TOILET AND BATHING ROOMS,
LOCKER ROOMS, COUNTERS, SAUNAS
AND STEAM ROOMS, AND OTHER
SPACES AND ELEMENTS

22

Accessible Vehicle Parking



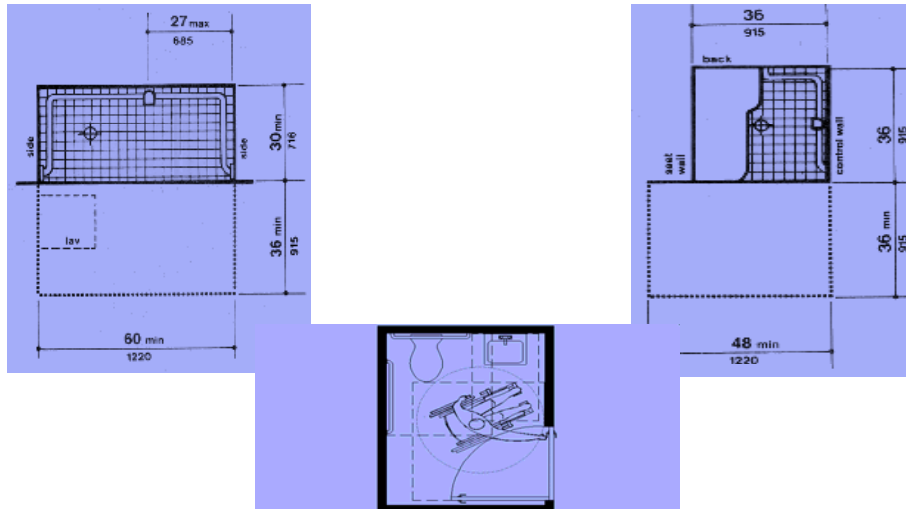
Total Parking In Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20 plus 1 for each 100 over 1000

1 OF EVERY 6 = VAN SPACE

UNITED STATES ACCESS BOARD

23

Toilet and Bathing Facilities

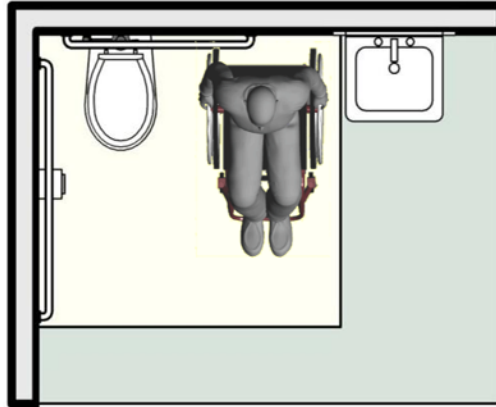


UNITED STATES ACCESS BOARD

24

Toilet Rooms

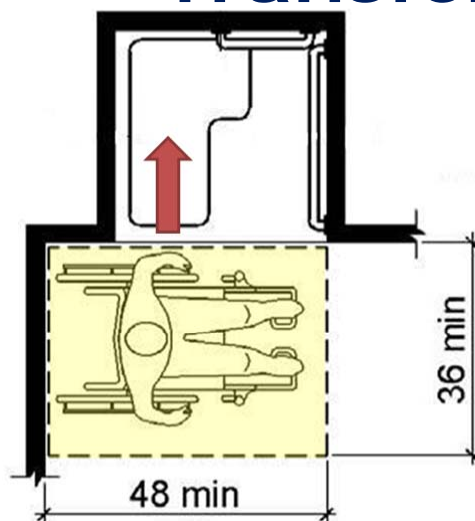
Allows space for side transfers



UNITED STATES ACCESS BOARD

25

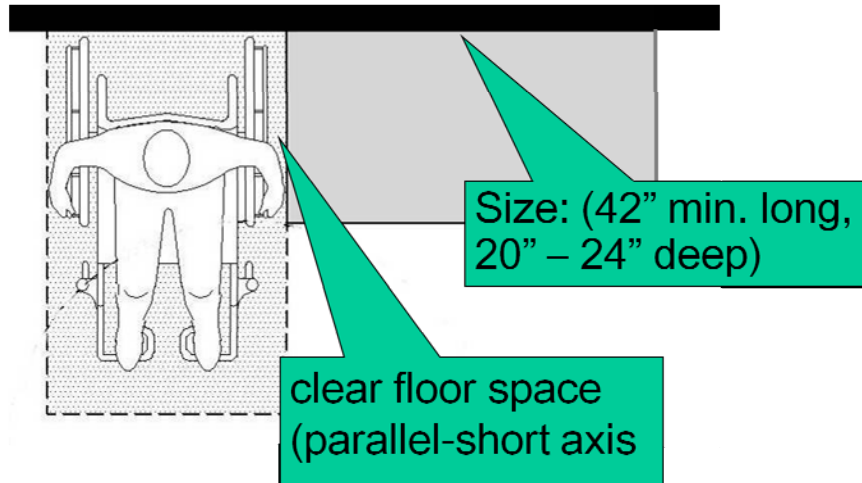
Bathing Facilities Transfer Stall



Clear floor
space
positioned for
alignment with
seat

26

[changing] Benches (903)



27



Dressing, Fitting, & Locker Rooms (222)

**Access to at least
5% of each type
of use in each
cluster**



28

Saunas and Steam Rooms

- Where provided in a cluster, at least 5%, not less than one
- Turning space within the room—may be obstructed by readily removable seats
- Door swing can not swing into clear floor/ground space for bench



29



Dining Surfaces (226)

- Access to at least 5%, not fewer than 1
- Knee clearance required
- Tops = 28 inches minimum – 34 inches maximum



30

Sales & Service Counters (227 and 904.4)

227 Scoping

- Counters – 1 of each type

904.4 Technical

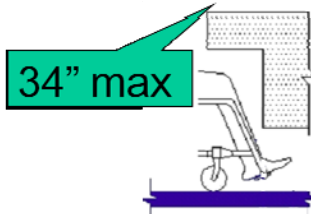
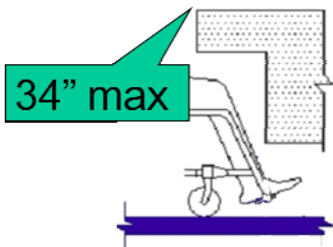
- 36 inches maximum
- Accessible part same depth
- Parallel or forward approach
- No alternatives
- Exception for alterations
- Security glazing – voice communication



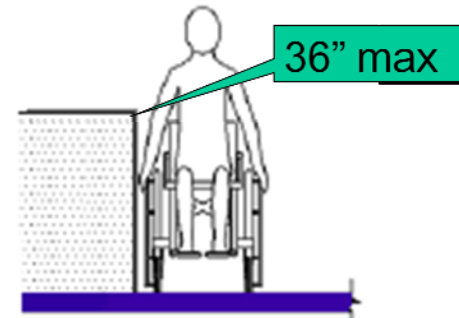
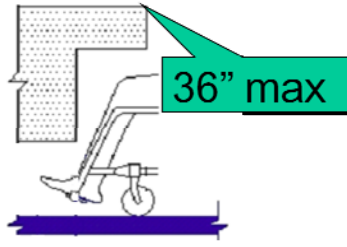
UNITED STATES ACCESS BOARD

31

Dining Surface (902)



Service Counter (904)



32

Swimming pools, wading pools, and spas

33

Swimming pools

- Required means of access into the water
 - Over 300 linear ft of pool wall = 2 (one primary)
 - Less than 300 linear ft of pool wall = 1 lift or sloped entry



UNITED STATES ACCESS BOARD

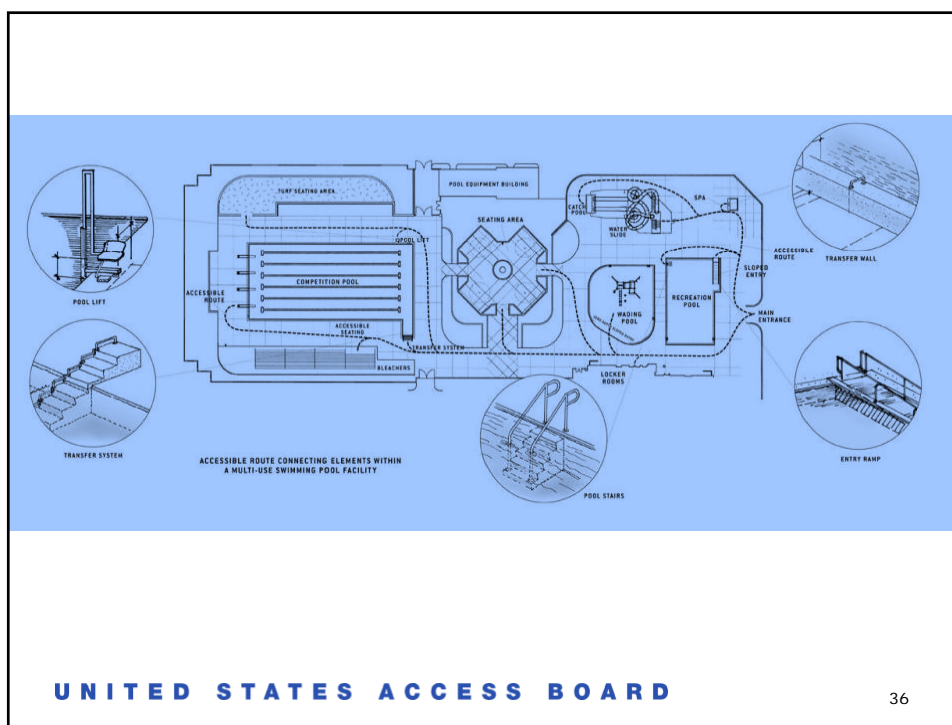
34

PERMITTED MEANS OF POOL ACCESS					
POOL TYPE	SLOPED ENTRY	LIFT	TRANSFER WALLS	TRANSFER SYSTEMS	STAIRS
Swimming (less than 300 linear feet of pool wall)	✓	✓			
Swimming (300 or more linear feet of pool wall) —two means of entry required	✓*	✓*	✓	✓	✓
Wave action, leisure river, and other pools where user entry is limited to one area	✓	✓		✓	
Wading pools	✓				
Spas		✓	✓	✓	

*Primary means must be by sloped entry or lift, secondary means can be any of the permitted types.

UNITED STATES ACCESS BOARD

35



36

Sloped Entry

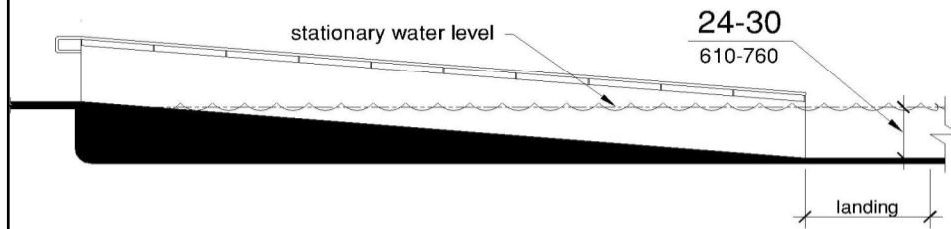


Fig. 72

Sloped Entry Submerged Depth

- Extend to 24 inches to 30 inches below stationary water level
- 1:12 maximum slope
- Handrails - 33 inches min - 38 inches max clear width

37

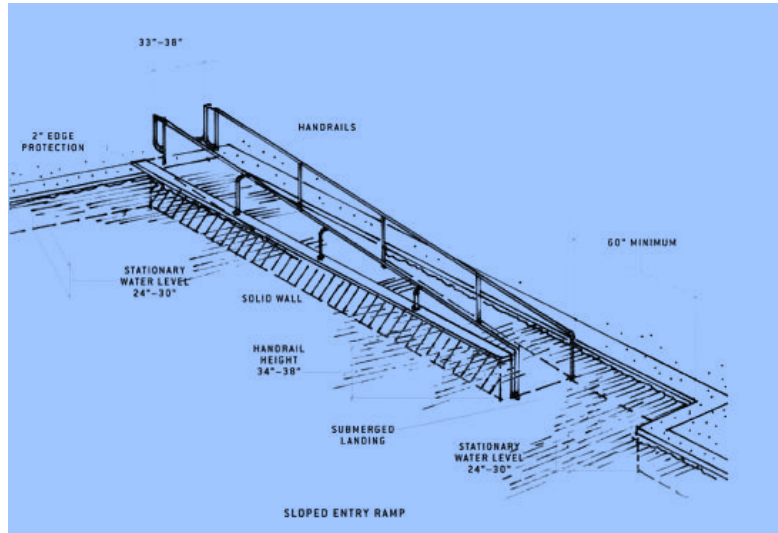
Sloped entry



UNITED STATES ACCESS BOARD

38

Sloped entry



39

Pool Lift

- Located where water does not exceed 48 inches
- Footrests – must be provided and move with seat

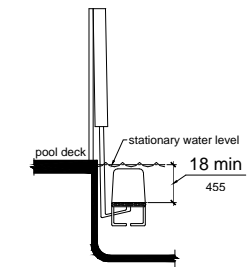


Fig 71
Pool Lift Submerged Depth

40

Pool lift

- Armrest – if provided opposite water shall be removable or fold in raised or load position
- Capable of unassisted operation – both deck and water

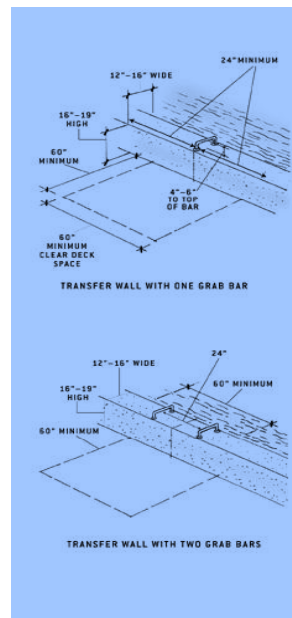


UNITED STATES ACCESS BOARD

41

Transfer Wall

- Clear deck space - 60 inches x 60 inches, slope 1:48 maximum
- Height – 16 inches to 19 inches

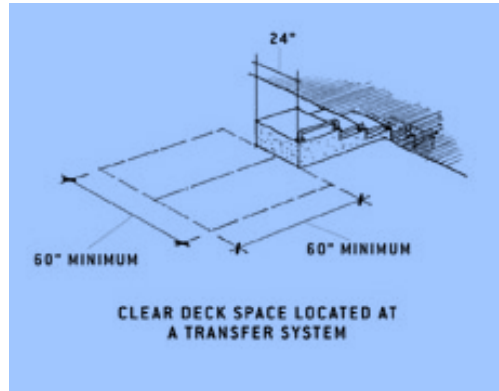


UNITED STATES ACCESS BOARD

42

Transfer System

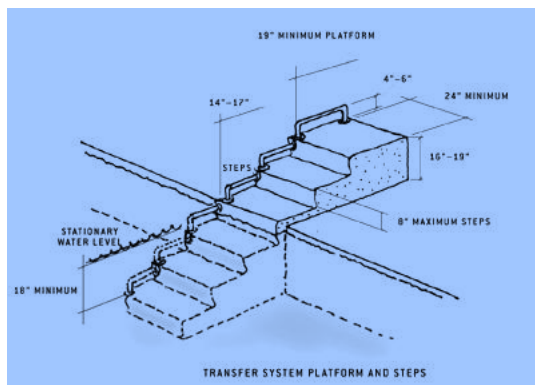
- Clear space – 60 inches x 60 inches
- Centered on 24 inch width



UNITED STATES ACCESS BOARD

43

Transfer System

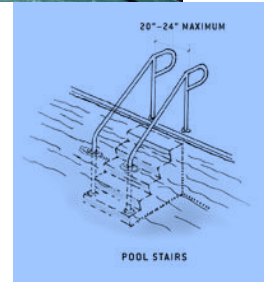


- Platform
 - 19 in min depth
 - 24 in clear width
 - 16 in to 19 in height
- Surface – not sharp and rounded edges

44

Pool Stairs

- Comply with stairs provisions, except as modified
- Handrail width 20 to 24 inches
- Extensions not required at bottom landing



UNITED STATES ACCESS BOARD

45

Spas

- At least one means of entry:
 - Lift - footrests not required
 - Transfer wall
 - Transfer system
- Where provided, in a cluster, 5% but not less than one



UNITED STATES ACCESS BOARD

46

Wading pools

- At least one sloped entry - handrails not required
- Extend to the deepest part of the wading pool



UNITED STATES ACCESS BOARD

47

Aquatic Recreation Facilities

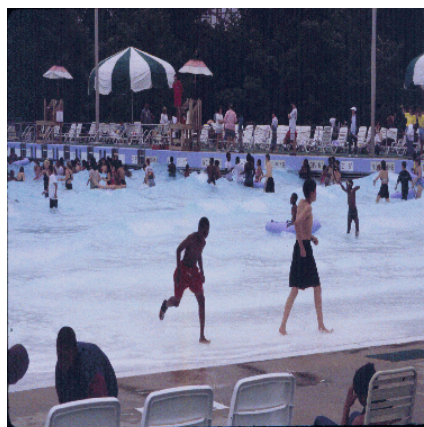
48

PERMITTED MEANS OF POOL ACCESS					
POOL TYPE	SLOPED ENTRY	LIFT	TRANSFER WALLS	TRANSFER SYSTEMS	STAIRS
Swimming (less than 300 linear feet of pool wall)	✓	✓			
Swimming (300 or more linear feet of pool wall) —two means of entry required	✓*	✓*	✓	✓	✓
Wave action, leisure river, and other pools where user entry is limited to one area	✓	✓		✓	
Wading pools	✓				
Spas		✓	✓	✓	
*Primary means must be by sloped entry or lift, secondary means can be any of the permitted types.					
UNITED STATES ACCESS BOARD					

49

Wave action pools

- One means of access
- Pool lift, sloped entry, or transfer system
- Clear width of handrails on slope entry does not apply



UNITED STATES ACCESS BOARD

50

Leisure rivers

- One means of access
- Pool lift, sloped entry, or transfer system



UNITED STATES ACCESS BOARD

51

Water slides

- Access not required to the top of the water slide
- Accessible route required to edge of catch pool



UNITED STATES ACCESS BOARD

52

Diving boards and raised platforms

**Accessible route
not required to
serve raised
diving boards or
diving platforms**



53

Water Play Components



**Ground level
access and
transfer access
to elevated play
components
required**



54

Technical Assistance Material



<http://www.access-board.gov/indexes/pubsindex.htm>

55

Where to direct questions



U.S. Department of Justice

- Implementing regulation and additional requirements
- Requirements for existing facilities – title II & III

(800) 514-0301 (voice)

(800) 514-0383 (TTY)

www.ada.gov



U.S. Access Board

- 2010 Accessibility Standards for new construction and alterations

(800) 872-2253 (voice)

(800) 993-2822 (TTY)

(202) 272-0081 (FAX)

ta@access-board.gov

www.access-board.gov

56

Questions?

You May Type and Submit questions in the
Chat Area Text Box or press Control-M and
enter text in the Chat Area

57

**Thank you for participating
in today's webinar**



Next scheduled session:
“Enforcing the Architectural Barriers Act (ABA)”
April 7th, 2011

www.AccessibilityOnline.org

877-232-1990 (V/TTY)

58